

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE

MMA Law Firm, PLLC

DEBTOR

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Chapter 11

Case No. 24-31596

AGREED MOTION FOR AN ORDER TO MEDIATE

THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.

COMES NOW, MMA Law Firm, PLLC. (“**Debtor**”), Equal Access Justice Fund, LP and EAJF ESQ Fund, LP (collectively, “**EAJF**”), and the Unsecured Creditors Committee, (collectively, the “**Parties**”), file this *Agreed Motion for an Order to Mediate*, and respectfully shows the following.

1. The Debtor is a Texas-based litigation law firm that filed a chapter 11 bankruptcy case on April 9, 2024 (“**Chapter 11 Case**”).
2. Since the filing of the Chapter 11 Case, the Debtor and EAJF have litigated nearly every issue. Several unresolved issues remain between the parties, including:

- a. EAJF's Motion to Appoint Chapter 11 Trustee (ECF No. 107) ("**Trustee Motion**");
 - b. Debtor's Motion pursuant to 11 U.S.C. §552 (ECF No. 353) ("**552 Motion**");
 - c. Debtor's allegations regarding EAJF's attorney-client privilege ("**Privilege Issue**");
 - d. Debtor's treatment of EAJF in a Chapter 11 Plan; and
 - e. Debtor's adversary proceeding against EAJF regarding the validity of its lien (Adv. Case No. 24-03208) ("**Adversary**").
3. On November 21, 2024, the Parties agreed to attend mediation with Retired Judge Leif Clark ("**Judge Clark**") on January 10, 2025, in an attempt to resolve outstanding disputes.
4. Judge Clark has agreed to mediate the disputes in a one-day mediation for a flat fee of \$20,000.00. Judge Clark served on the bankruptcy bench for approximately twenty-five years and has offered dispute resolution services related to Chapter 11 restructurings since 2013.
5. EAJF and the Debtor have further agreed to allocate the cost of the mediation between them, with the Debtor agreeing to pay one-half of the mediation fee, which is \$10,000.00 and EAJF paying the remaining \$10,000.00, subject to Court approval.
6. A Declaration from Judge Clark pursuant to Federal Rule of Bankruptcy Procedure 2014 is attached as Exhibit A.

WHEREFORE, the Parties respectfully request the Court's permission to hire and pay for the mediation services of Retired Judge Leif Clark, and for such other and further relief, at law or in equity, to which it may be justly entitled.

Dated: December 10, 2024.

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